

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

BENARD BARNETT

PETITIONER,

-V-

UNITED STATES OF AMERICA

RESPONDENT

X

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X

RECEIVED
SDNY PRO SE OFFICE

2015 MAY -8 A 9:38

CRIMINAL INDICTMENT #90-CR-913 (LAP)

RECEIVED

MAY 13 2015

LORETTA A. PRESKA
CHIEF U.S. DISTRICT JUDGE
S.D.N.Y.

MOTION TO REDUCE SENTENCE PURSUANT TO TITLE §18: U.S.C. 3582 (C) (2) DUE TO A U.S.S.C. AMENDMENT TO THE GUIDELINES

Petitioner comes before this court seeking the reduction of his prison sentence. Pursuant to the title 18 U.S.C. §3582 (C) (2) (2010). He asks this court to give retroactive effect to amendments (506) (567) (706) (711) (750) and (782) under U.S.S.G. §1B1.10, which all of the above amendments are listed as retroactive. Hence legally apply to this petitioner.

A. Then accordingly reduce his sentences from "life" to a sentence of the [offense statutory maximum] of U.S.S.G. §4B1.1 career offender chart, for a 30 year maximum

--- And/or ---

B. As a non-career offender. Reduce his sentence to a (20 year maximum of 21:841 (b) (1) (c)

C. Accordingly reduce his supervise release to the maximum penalty of Title §21:841 (b) (1) (c) [Second drug offender] supervise release maximum of (6) years.

(1)

STATEMENT OF THE ISSUES

- 1) Under title §21:841 (B) (1) (A) petitioner was sentence as a “career offender” in legal error. As shown in the issues below.
- 2) Even (If) petitioner was a career offender under U.S.S.G. §4B1.1. His [offense statutory maximum] is only [30 years] and not “life”. Petitioner has had a 100% illegal Life Sentence in place for [2½] decades.
- 3) As a non-career offender under U.S.S.G. §4B1.1. Retroactive Amendments 706, 711, 750 and 782 apply in full legal force for a sentence reduction.
- 4) Both above issued #1 and #2. That (A) Petitioner is “not” a career offender under U.S.S.G. §4B1.1. (and/or). (B) Even if he is a career offender under U.S.S.G. §4B1.1. His [offense statutory maximum] of §4B1.1 career offender chart sentence is only [30] years and “not” life are “Jurisdictional defects” of law .i.e. The [court/judge/prosecutor/probation department] did “not” have the statutory or constitutional power to do what it did. As such defects in jurisdiction exist. The law states, no time or procedural bar can exist. Such defects must be notice, heard, adjudicated and legally corrected. By any writ, motion or appeal at any time. This §18:3582(c) (2) motion must legally adjudicate the [jurisdictionally defects] clearly shown.
- 5) Petitioner is [actual innocence] of a 1) life sentence and 2) Being made a career offender under U.S.S.G. §4B1.1

- 6) The Fair Sentence Act is law, but not retroactive, nor apply to the statutes mandatory minimums. Until congress vote on making this equal. The sentence amendment guideline (750) reducing the (100-1) Crack - vs - Powder Cocaine to (18-1) apply to the statute 21:841 (A) (B) (C) and (D) drug sentence penalties. This being "stalled" in congress. Require the law of Lenity be applied to this case at bar.
- 7) The rule of Lenity, also apply to the block of career offenders sentence under U.S.S.G. §4B1.1 to get amendments 706, 750, and 782 sentence reductions. As §4B1.1 was ruled illegal and unconstitutional by Booker/Fanfan of the S.Ct and "not" law. Just advice or a suggestion to follow or not. §4B1.1 is not a statute or mandatory. In view of all crack cocaine reductions. The statutes rule over §4B1.1. It must be legally ignored in this case at bar. In protection of this petitioner statutory and constitutional amendment rights.
- 8) Miscarriage of justice exist, to completely ignore, circumvent, change, rewrite stated clear instructions of law, statutes, rules to follow as intended by the Supreme Court, the sentence commission and the statutes, wrote by congress.
- 9) A question to be answered is this... "Would petitioner have got a lesser sentence (If) convicted of the same exact offense, today? The answer is 100% yes! He would not have gotten career offender (not enough drug amount), and as a non-career offender with no (100-1). But (18-1) Crack - vs - Powder Cocaine. His sentence would have been (0-8 years) and "not" the present life sentence. Older stringent punishments that are out of line with sentences imposed under today's law erode

people's confidence, trust, and faith in our criminal justice system. The most fundamental of American ideas is equal protection under the law.

10) The President Clemency Program was activated to correct the paradox of old sentence time - vs- new law statues reductions. Hence the rule of lenity can legally exist in my sentence reduction to confound to new law penalties/punishments.

ISSUES

- I. PETITIONER IS "NOT" A CAREER OFFENDER UNDER §4B1.1. AS NO TITLE §21:851 PRIOR FELONY INFORMATION WAS FILED. LISTING THE TWO REQUIRED PRIORS NECESSARY LEGALLY TO INVOKE TWO PRIOR STRIKES.

-- AND --

THE PRIOR USED TO INVOKE §4B1.1 CAREER OFFENDER STATUS (1972) IS TOO OLD TO USE FOR FEDERAL ENHANCEMENT. FINALLY §4B1.1 WAS MADE UNCONSTITUTIONAL AND NOT MANDATORY, HENCE NON-LAW AND ADVISORY/SUGGESTION BY S.CT BOOKER/FANFAN DECISION. IT "CANNOT" LEGALLY OVERRIDE THE STATUTE §21:851 DIRECTIONS OF LAW. §4B1.1 NON-LAW, "CANNOT" LEGALLY SUPERSEDE A STATUTE VOTED ON AND MADE LAW BY CONGRESS.

See Exhibit "H" Attached. Which is title §21:851 prior felony information statute the prosecutor on November 15, 1991 filed a title §21:851 (prior felony information) against petitioner. It only listed (1) prior. See attached Exhibit "G" which is the title §21:851 filed in case at bar, filed by the prosecutor. [Note] the prosecutor discretion invoked was only to make petitioner a second drug offender and not a §4b1.1 career offender with two listed priors needed to statutorily allow U.S.S.G. §4B1.1 to control the sentence. Look at exhibit "d" which is the U.S.S.G. §4B1.1 career offender chart two legally valid priors must exist to invoke §4B1.1 the probation department invoked the 1972 prior "outside" the statutory law of §21:851 prosecutor's discretion Right. As noted §4b1.1 is not law or mandatory. After the Supreme Court ruling of Booker/Fanfan making §4B1.1 unlawful and unconstitutional. See Exhibit "Φ" which is petitioners' original sentence minutes. You will note the United States prosecutor, "told" the

sentence judge – My maximum legal sentence possible was (30) years under §21:841 (B) (I) (C) second drug offender maximum. As filed for by §21:851 prior felony information invoked by the U.S. Attorney office and not the Probation Department use of a “too old” state prior to invoke federal enhancement. See Exhibit “K” which is United States vs Little the federal statutes wasn’t amended until 1984 to (include/invoke) state priors for federal enhancement under §21:841 drug penalties. The conviction used by the probation department is dated 1972 (state conviction) twelve years “too old” to invoke the federal enhancement of a state prior. When the federal amendment to the statute §21:841 was made in 1984. See exhibit “o” which is hon Preska court order at page (2). It state a 1972 state conviction was used –by the probation department to invoke §4b1.1 career offender status. As noted 1) §4b1.1 is unconstitutional /unlawful now. Due to a supreme court ruling Booker/Fanfan 2) the Probation Department “cannot” supersede the U.S. attorney powers invoked and granted by congress (discretion) to file. What priors they wished to enhance.

3) The 1972 state court conviction is: (too old) to invoke §21:841 sentence enhancements. The federal statute was not amended until 1984 to include state priors.

Legal conclusion: hence petitioner legally “not” a career offender under U.S.S.G. §4b1.1 and amendments 706, 750, and 782 apply in full to reduce petitioner’s sentence.

II. PETITIONER [OFFENSE STATUTORY MAXIMUM] IS (30) YEARS. IF HE IS A CAREER OFFENDER UNDER U.S.S.G. §4B1.1

Jurisdictional defect has occurred in this case at bar in legal error. This court has ruled that amendment 567 of the U.S.S.C. created by the Supreme Court in LaBonte in 1997. "Change nothing" and "mean nothing" in direct violation of clear stated law. Petitioner was sentence in 1991. The LaBonte decision came out in 1997. Eight years later, ~~IT~~ ^(S.CT) stated the "confusion" of what [offense statutory maximum] to use for all career offenders on the U.S.S.C. guideline §4B1.1. Sentence chart was 30 years maximum of 21:841 (B) (I) (C) For all second drug offenders – and not 21:841(B) (I) (A).

ATTACHED AS EXHIBIT "L"

The LaBonte ruling (clearly/plain) is ... the offense statutory maximum of all career offenders convicted under §21:841 and made a career offender under U.S.S.C. §4B1.1 maximum sentence is (30) years. The U.S.S.C. created Amendment 567 in response to LaBonte (S.CT). Amendment 576 is retroactive thru amendment 506 which was retroactive, but replaced by Amendment 567. Hence apply in full to this petitioner See Exhibit "M" which is Judge Preska 7/31/01 court decision ruled in jurisdictional error that Amendment 567 change nothing and confuse the legal reasoning of LaBonte and U.S.S.C. Amendment 506 is mute in this case at bar except for its retroactivity extending to Amendment 567 thru U.S.S.C. guideline §1B1.10 listing retroactivity. Also See Exhibit "N" which is Judge Preska (fourth) (2009) §3582 denial order relying on her (first) (2001) denial order ruled on in total error. Now stating its "final." But a jurisdictional [defect/sentence/conviction/error/question] can never be final or time/procedurally bar adjudication on this §3582 motion (see jurisdictional defective issue below).

U.S.S.C. Amendment 506 is attached as exhibit "e"

U.S.S.C. Amendment 567 is attached as exhibit "F"

LaBonte S.CT case cite 1371.ED 2d 100 1 (1997) is attached as Exhibit "L"

III. ISSUE #1 AND #2 ARE JURISDICTIONALLY DEFECTIVE ISSUES OF LAW AND AS SUCH CANNOT BE TIME OR PROCEDURALL BAR ADJUDICATION ON THIS TITLE §18:3582 (C) (2) SENTENCE REDUCTION MOTION.

Any court ruling that does not have statutory or constitutional amendments support is jurisdictionally defective to enforce. ie. The [courts/judge/prosecutor/probation department] did “not” have the statutory legal power “to do as it did,” making non-law [law]. When such defects are in front of a court/judge they must be notice heard, adjudicated and legally corrected 100% on any writ, motion, or appeal, without a time or procedural bar. As no one can create new law out of [thin air] and/or ignore stated plain exact law as rule-on by the S.CT or congress who write and vote on the statues.

Issue #1 that the petitioner is “not” legally a career offender due to:

- 1) No title §21:851 was filed for two priors invoking §21:841 enhancements under §21:841 enhancements under §4B1.1 U.S.S.G. LaBonte S.CT state at page 1008 #1 footnote. Title §21:851 is jurisdictional. The sentence guidelines cannot overrule a statute. Especially in light of S.CT Booker/Fanfan ruling that U.S.S.C. guideline §4B1.1 is unconstitutional (unlawful).
- 2) The prosecutor told the sentence judge. The US. Attorney discretion was to evoke only (1) prior, using §21:851 for §21:841 (B) (I) (C). [second drug offender] (30) Year max sentence See Exhibit “I” – petitioner sentence minutes. The trial judge 100% ignored the prosecutor and sentenced petitioner to life in violation of law. Petitioner has had illegal life sentence for (25) straight years and counting which ~~is~~ ^{DEFECTIVE} jurisdictionally ~~defensive~~ ^{defective}.

- 3) The 1972 state conviction was/is "too old" to use as a federal enhancement for title §21:841 drug penalties. When the federal statute ~~wasn't amending~~^{AMEND} until 1984 to include state priors for enhancements under §21:851:841.
- 4) Petitioner sentence maximum as a career offender under §21:851 and U.S.S.G. §4B1.1 career offender chart is (30 years). By S.CT law LaBonte and U.S.S.C. Amendment 567 (retroactive) thus his present life sentence is 100% illegal and a (jurisdictional defect). That must be heard and corrected with no time or procedural bar, by any writ, motion, or appeal. Jurisdictional defects cannot be time or procedurally barred adjudication. They must be heard, noticed and [corrected] 100% on any writ, motion or appeal. As the (courts/judge/prosecutor/probation department). Did not have the statutory or the constitutional power to do what they did. This issue must be legally addressed and corrected without a time or procedural bar...

See: Harris -vs - United States, 149 F. 3d 1304 (11cir. 1998)

Jurisdictional defects are non-waive able and non-default able. They are properly remedied, indeed must be remedied upon §2255/2241 review or a §18:3582 (c) (2) sentence reduction motion, due to a guideline change. See: United States vs. Griffin, 303 US. 226 229 S.CT 601, which states: "A jurisdictional defect is one that strips the court of its power to act and make its judgment void because parties cannot acquiescence or agreements confer jurisdiction on a Federal Court, a jurisdictional defect cannot be waived or procedurally defaulted. Instead a judgment tainted by a jurisdictional defect must be reversed. Also see: Steel Co. vs. Citizens for Better Environment, 523 vs. 83, 89 (1998) S.CT and Louisville and Nashville R. Co v Motley 211 vs. 149 (1908). Finally dozens of S.CT ruling, court of appeals ruling for entire country to follow exist. Stating no entity can make up or change existing statutory law but congress. Hence issue #1 and

#2 are jurisdictional defect issues of law the present sentence/convictions of being 1) A career offender under U.S.S.C. guideline §4B1.1 is illegal and 2) The life sentence for being a career offender under amendment 567 and LaBonte S.CT law is illegal and must be vacated, and replaced with a (30) years max sentence as the law commands in S.CT LaBonte and the U.S.S.C. Amendment 567 the law stated in LaBonte and Amendment 567 is plain/clear/easy to follow legal reasoning and “shouldn’t/cannot” be circumvented, changed, ignored by legal skuldruggery “organized confusion” written in a prior denial order of a district court judge in violation of statutory and constitutional rights, on a mass scale.

**IV. ACTUAL INNOCENCE SHOWING “CANNOT” BE TIME OR PROCEDURALLY
BARRED ADJUDICATION OF ISSUES #1 AND #2 ON THIS §3582 MOTION**

A. In Lopez vs. Tran, 628 f3d 1228 (10th Cir. 2010), the court held that a sufficiently supported claim of actual innocence creates an exception to all procedural barriers and time bars. For bringing constitutional claims including the time barriers erected by the AEDPA or the restrictions on a §3582 (C) (2) sentence reduction motion “must” fall under the above statutory and constitutional reasoning. To create an “actual innocence” showing the court held that the petitioner does not have to show he diligently pursued his claims, as I did for issues #1 and #2. I have fought diligently “non-stop” for 25 straight years. The Lopez/Tran court stated: “this is an extraordinary case, where a constitutional violation has probably resulted in the conviction of one who is actually innocent, a Federal Habeas court may grant the writ even in the absence of a showing of cause for procedural result. Murray - vs – Carrier, 477 U.S. 478, 496 106 S.CT.

The above cases recognizes that a person should not have to serve a sentence for a crime, sentence enhancement, or time over a statutory sentence maximum because he cannot persuade a court that he acted with sufficient diligence in raising the claim of actual innocence.

B. (C.A. 2nd Cir.) Actual innocence as an exception to the time bar of the (ATEDA). Has to also apply legally to §18:3582 motions procedural and jurisdiction bars for adjudication of issues.

Rivas - vs - Fischer, 687 F.3d 514 (2nd Cir. 2012) citing House -vs- Bell S.CT 547

U.S.518 538, 126 S.CT 2064 (2006)... Held that a colorable claim of actual innocence is an exception to the (AEDPA's) time bar

Colorable claim of actual innocence as an implied exception to the time limitations imposed by the (ADEPA's) See Stocker -vs- Warden 2004 U.S. Dist. Lexis 5395 (EDDA, Giles, C.J.) held that a colorable claim of actual innocence cannot be time barred, or procedurally barred. Also see: Munchinski - vs - Wilson: 694 F. 3rd 308 (3rd Cir. 2012), hence petitioner being [actually innocence] of a life sentence legally and being adjudicated a career offender under U.S.S.G. §4b.1.1 lawfully incorrect. makes him actual innocence of both a sentence and sentence enhancement which means no time or procedural bar can exist to adjudicate these issue on a title §3582 motion.

**V. MISCARRIAE OF JUSTICE AND DENIAL OF CONSTITUTIONAL AMENDMENT
RIGHTS AND STATUTORY PROTECTIONS IN CASE AT BAR**

See: Schlup - vs - DeLo, 513 U.S. 317-21 327 115 S.Ct 851 130 L. Ed 2d 808 1995), the Supreme Court recognized the miscarriage of justice exception to permit a petitioner asserting a claim of actual innocence to avoid a procedural bar to be noticed, heard and adjudicated on any writ at any time.

VI. THE FAIR SENTENCE ACT, WHICH TOOK EFFECT ON AUGUST 31, 2010
REDUCED THE DISPARITY FROM (100-1 (TO) 18-1) LOWERING THE
MANDATORY MINIMUMS APPLICABLE TO MANY CRACK OFFENDERS

This law is now [controversy/illegally bias/ambiguous and legal skullduggery warranting the use of the rule of lenity. The congress control 100% the sentencing commission amendments. The commission in amendment (750) reduced ~~from~~ (100-1) to (18-1) crack vs power cocaine 21:841 penalties and make it retroactive. But the statues mandatory minimum are ~~of~~ ^{FROZE} \$21:841 resulting in a glancing paradox of totally unfair sentences. if you're busted today and could get a life sentence as others did in past for the same exact drug amounts you're okay as new law in effect on drug amounts mandatory minimums of \$21:841. But not voted by congress to apply to U.S.S.C Amendment 750 new law. Resulting in tens of thousands suffering long jail sentences that has been reduced on the right hand of congress by the sentence commission but ignored by the left hand of congress who refuse to vote on equal rights of the new ratios of crack to apply to the statutes – mandatory minimums.

It is a catch 22 situation with three sets of laws for (1) one situation legally of same drug amounts (past) (present) (future)

1. If you get a reduction under retro amendment 750 you can't get a lower mandatory minimum. If drug amounts newly assign apply to you, as statutes, not in tune with U.S.S.G.
 Laws ... [present] ...
2. If you were in pipeline awaiting sentence on a drug charge you can get the mandatory reduction ... [future] ... limited application...

3. If you got sentence, before august 3; 2010 "too bad" congress has stall voting on equal protections of law... [Past] ...

The above show legally, combine with next issued the rule of lenity should be invoked in this case at bar and U.S.S.G. §4B1.1 shouldn't be followed in the interest of justice and fair play.

SEE EXHIBIT "O" §4B1.1 UNCONSTITUTIONAL AND NON-LAW

**VII. THE EFFECT OF AMENDMENTS 706, 711, 750, AND 782 AS APPLIED TO THIS
PETITIONER, AS A NON CAREER OFFENDER**

As a non-career offender under amendment 706 my 20 year max will be ^{Reduced} ~~reduced~~ two levels under amendment 750 (100-1) to (18-1). My sentence would be reduced 85% under amendment 782. I would get another two level reduction. In total 20 years reduce (3) times would result in a 10 years sentence. Lower if congress votes on the fair sentence acts applying to mandatory minimums.

VIII. U.S.S.C. GUIDELINE §4B1.1 CAREER OFFENDER LEVEL IS “NOT” AUTOMATIC LIFE, IT IS [360-LIFE]

Look at exhibit “d” - §4b1.1 career offender chart at “a” = life. Then I refer you to the months in prison chart. This is attached as exhibit “p”... [Note] §4b1.1 chart “a” – life is equal to offense level 37 on the sentence in months chart. Level 37 on the sentence in months chart level 37 = 360 to life not automatic life as a career offender. The trial court treated §4B1.1 as a three strikes law; the same as title §21:841 mandatory life for three drug crimes in a row. This was a jurisdictional defective sentence. All career offenders do not get automatic life under §4B1.1 as was done in this case at bar the trial judge sentence me to life. When 30 years ^{TO THE SENTENCE Judge} (told) is my max sentence by the prosecutor at my sentencing, and then amendment 567 states the same thing, and the S.C.T in LaBonte. No life sentence exist legally for career offenders under §4b1.1 my sentence maximum was/is (30) years. If found to be a career offender.

CONCLUSION

1) Petitioner issues [#1 and #2] submitted are

- a) Jurisdictionally defective
- b) Actual innocence shown
- c) Miscarriage of justice

Requiring legally that they “cannot” be on ^{THIS} ~~the~~ title §18:3582 submission restrictions to hear, ~~and~~ adjudicate the two issues cannot be had for a [conviction/sentence] based on [non-law].

The conviction was for a career offender (illegal) the sentence of life (illegal). Both jurisdictional defects the court didn’t have statutory or constitutional power to invent or create new law on its own whim or ignore statutory law.

- 2) Petitioner is a non-career offender under U.S.S.C guideline §4b1.1, hence amendments 706, 711, 750, 782, apply to him in full legal force
- 3) If petitioner “were” a career offender under U.S.S.C. guideline §4b1.1 his maximum sentence would be (30) years not life. under LaBonte S.CT and U.S.S.C amendment 567 retro thru amendment 506 which is listed in §1b1.10
- 4) Petitioner sentence should be reduce to 27 years and (6 years supervise release) if a career offender under §4b1.1 21:841 (b)(1)(c)

- (and/or) -

A 20 year max, if a non-career offender with supervise release reduced to (6) years 21:841 (b) (1) (c). With the stipulation of getting off supervise release after (1) year of the (6 years) served unrevoked. Due time served over his max sentence in the interest of justice and fair play. Johnson S.CT (2000): stated supervise release “cannot” be reduced for over max time served. As supervise release – do not begin until after release from prison. But petitioner was sentence in 1991. Nine years prior to Johnson S.CT

The ex post facto clause stop harsher punishment of a new law to be applied retroactive prior to Johnson S.CT you could get time served over a sentence maximum. Credit to your supervise release.

I should be given “0” supervise release for serving more than a decade over my release date for 20 years.

Respectfully Submitted


BERNARD BARNETT (PRO SE)

DATED: APRIL 8, 2015

EXHIBITS

- A) Progress Report 3/18/2014
- B) Medical Records of Petitioner
- C) Executive Presidential Clemency (Pending) Since April 2013
- D) United States Sentence Guideline §4B1.1 "Career Offender"
- E) United States Sentence Guideline Amendment 506 "Retroactive" (1994)
- F) United States Sentence Guideline Amendment 567 "Retroactive" (1997)
- G) Title §21:851 Filed by Prosecutor in case at bar (1991)
- H) Title §21:851 (Prior Felony Information) Statue
- I) Petitioner Sentence Minutes (1992)
- J) Trial Indictment (1990)
- K) United States - vs - Richard Little (Mass. (D.C.) 2002 Lexis 11943 (Civil# 01-40077-RWZ) (2002)
- L) United States - vs - LaBonte (S.CT) 137 L. Ed 2d 1001 (1997)
- M) Judge; Loretta Preska (First) §18:3582 denial order (July 31, 2001) D.C.
- N) Judge; Loretta Preska (Fourth) §18:3582 denial order (March 4, 2009) D.C.
- O) Judge; Loretta Preska (District Court) denial order "Career Offender" (July 19, 2010)
- P) Months in Prison Chart
- Q) United States - vs- Coffey 395F.3d 856 (8th Circuit) 2005 (C.A.)

Department of Justice

Federal Bureau of Prisons

INMATE SKILLS DEVELOPMENT PLAN

Progress Report: 03-18-2014



Name: BARNETT, BERNARD
 Register Number: 04941-054
 Security/Custody: HIGH/IN
 Projected Release: / LIFE

Institution: CANAAN USP
 PO BOX 400
 WAYMART, PA 18472
 Telephone: (570) 488-8000

Next Review Date: 08-30-2014
 Next Custody Review Date: 09-13-2014
 Age/DOB/Sex: 60 / 09-02-1953 / M
 CIM Status: Y
 If yes, reconciled: Y

Driver's License/State: /
 FBI Number: 285960J4
 SSN: 075444216
 DCDC Number:
 INS Number:
 PDID Number:
 Other IDs:

Release Residence: Barbra Barnett, Cousin
 201 W. 120 STREET APT # 5C
 NEW YORK, NY 10029
 Telephone: (212) 222-0644

Release Employer: [Name]
 [Address]
 [POC]
 Contact
 Telephone:

Primary Emergency Contact: Barbara Barnett, Cousin
 201 W. 120 St #5C
 New York, NY 10029
 Telephone: (212) 222-0644

Secondary Emergency Contact: Bernard Barnett, Jr., Son
 3 James Ct
 Englewood, NJ 07631
 Telephone: (917) 709-0193

Mentor Information:

Offenses/Violator Offenses: CONSPIRACY DISTRIBUTE HEROIN / DISTRIBUTION OF CRACK / DISTRIBUTION HEROIN / POSSESSION OF FIREARM & AFFECTING INTERSTATE COMMERCE / MAINTAINING A PLACE FOR PURPOSE TO MANUFACTURE HEROIN & CRACK /

Sentence/Supervision: Life / 10 Years - 3559 SRA SENTENCE

Sentence Began	Time Served/Jail Credit/Inoperative Time	Days GCT/EGT/SGT	Days FSGT/WSGT/DGCT	Parole Status
08-13-1992	259 Months 5 Days / 610 Days / 0 Days	0 / 0 / 0	0 / 0 / 0	Parole Information not applicable

Detainers: N
 Pending Charges: None known

Financial Responsibility	Imposed	Balance	Case No./Court of Jurisdiction	Assign/Schedule Payment
				FINANC RESP-COMPLETED

Financial Plan Active: N
 Financial Plan Date: [Date]

Comm Dep-6 mos: \$2177.09
 Commissary Balance: \$42.96

Cost of Incarceration Fee: [Choices]

Payments

Commensurate: Y
 Missed: N

Judicial Recommendations: N/A / N/A / N/A

Special Conditions of Supervision: Standard Conditions Apply.

USPO Sentencing: Michael Fitzpatrick, Chief
 New York Southern Probation Office
 Daniel Patrick Moynihan United States Courthouse

USPO Relocation: [POC]
 [District]
 [Street Address/Suite]

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014500 Pearl Street Room
New York, NY 10007-1312

Phone/Fax: 212-805-0040 / 212-805-0047

[City], [State] [Zip]
Phone/Fax: [Phone] / [Fax]**Subject to 18 U.S.C. 4042(B) Notification:**

Y

- Past conviction for a crime of violence (state and federal)
- Conviction for a drug trafficking crime (federal)

DNA Required:

Y - [Date]

Subject to Sex Offender Notifications:

N

Treaty Transfer Case:

[Y,N]

Profile Comments:

EDUCATION DATA						
Facility	Assignment	Description			Start Date	Stop Date
CAA	ESL HAS	ENGLISH PROFICIENT			01-25-1993	CURRENT
CAA	GED HAS	COMPLETED GED OR HS DIPLOMA			06-01-1991	CURRENT
COMPLETED EDUCATION COURSES						
Course Description					Completion Date	Course Hours
NUTRITION					12-03-2013	20
NUTRITION					08-28-2013	20
CDL PREPARATION CLASS.					09-30-2009	10
RPP5 RPP ORIENTATION					09-10-2008	1
HIGH TEST SCORES						
Test	Subtest	Score	Test Date	Test Faci	Form	State
Inmate has no score history items in this area						

WORK DATA				
Facility	Assignment	Description	Start Date	Stop Date
CAA	C1 ORD PM	C1 UNIT ORDERLY	04-22-2013	CURRENT
WORK HISTORY				
Facility	Assignment	Work Assignment Description	Start Date	Stop Date
CAA	USP UNASSG	USP UNASSIGNED	04-04-2013	04-22-2013
CAA	C1 ORD PM	C1 UNIT ORDERLY	04-13-2009	02-28-2013
CAA	USP W A&O	USP W A&O	03-30-2009	04-09-2009
CAA	USP UNASSG	USP UNASSIGNED	03-26-2009	03-30-2009
LEE	U E ORD AM	E UNIT ORDERLY AM	10-09-2008	03-23-2009
LEE	UNICOR 3	UNICOR 3	09-30-2008	10-09-2008
LEE	MED CONVAL	MEDICAL CONVALENCE	07-23-2008	09-30-2008
LEE	UNICOR 3	UNICOR 3	05-13-2008	07-23-2008
LEE	UNICOR 4	UNICOR 4	07-13-2007	05-13-2008
LEE	UNICOR 3	UNICOR 3	06-28-2007	07-13-2007

Name: **BARNETT, BERNARD**RegNo: **04941-054**

LEE	UNICOR 7	UNICOR 7	03-07-2007	06-28-2007
LEE	UNICOR 8	UNICOR	12-15-2006	03-07-2007
LEE	UNICOR 5	UNICOR 5	07-03-2006	12-15-2006
LEE	UNICOR 4	UNICOR 4	03-24-2006	07-03-2006
LEE	2 DAY IDLE	2 DAY IDLE	03-21-2006	03-24-2006
LEE	UNICOR 4	UNICOR 4	03-13-2006	03-21-2006
LEE	UNICOR 5	UNICOR 5	03-10-2006	03-13-2006
LEE	UNICOR 6	UNICOR 6	12-16-2005	03-10-2006
LEE	UNICOR 4	UNICOR 4	09-21-2005	12-16-2005
LEE	WEST COR P	WEST CORRIDOR PM	05-07-2005	09-21-2005
LEE	WEST COR A	WEST CORRIDOR AM	05-06-2005	05-07-2005
LEE	UNICOR 3	UNICOR 3	04-13-2005	05-06-2005
LEE	PM REC PAS	USP PM RECREATION - PASSIVE	04-12-2005	04-13-2005
LEE	SHU AD	SHU UNASSIGNED AD	02-12-2005	04-11-2005
LEE	UNICOR 3	UNICOR 3	10-15-2004	02-12-2005
LEE	UNICOR 4	UNICOR 4	06-16-2004	10-15-2004
LEE	UNICOR 5	UNICOR 5	04-28-2004	06-16-2004
LEE	UNICOR 7	UNICOR 7	04-25-2004	04-28-2004
LEE	U E ORD PM	E UNIT ORDERLY PM	01-09-2004	04-25-2004
ATL	LABOR 1 AM	LABOR 1 AM ORDERLIES	02-26-2003	01-06-2004
ATL	PENDING FS	WAITING ON MEDICAL FOR FS WORK	01-28-2003	05-05-2003
MAR	CAB2	CABLE 2 MARK LIVESAY, PRD SUPR	11-01-2001	01-21-2003
		Gap(s) in employment during assignment: 56, 1007 days		
ALP	UNICOR 2	UNICOR 2	01-07-1998	01-29-1999
ALP	U VACATION	VACATION	12-29-1997	01-07-1998
ALP	UNICOR 2	UNICOR 2	12-25-1997	12-29-1997
ALP	U VACATION	VACATION	12-24-1997	12-25-1997
ALP	UNICOR 2	UNICOR 2	03-03-1997	12-24-1997
ALP	UNICOR 7	UNICOR 7	01-01-1997	03-03-1997
ALP	U VACATION	VACATION	12-31-1996	01-01-1997
ALP	UNICOR 7	UNICOR 7	07-10-1996	12-31-1996
ALP	U VACATION	VACATION	07-08-1996	07-10-1996
ALP	UNICOR 7	UNICOR 7	02-26-1996	07-08-1996
ALP	UNICOR 2	UNICOR 2	10-17-1995	02-26-1996

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ALP	U VACATION	VACATION	10-16-1995	10-17-1995
ALP	UNICOR 2	UNICOR 2	05-22-1995	10-16-1995
ALP	UNICOR 6	UNICOR 6	04-10-1995	05-22-1995
ALP	UNICOR 3	UNICOR 3	03-27-1995	04-10-1995
ALP	UNICOR 6	UNICOR 6	01-07-1995	03-27-1995
ALP	U VACATION	VACATION	01-03-1995	01-07-1995
ALP	UNICOR 6	UNICOR 6	09-07-1994	01-03-1995
ALP	U VACATION	VACATION	09-01-1994	09-07-1994
ALP	UNICOR 6	UNICOR 6	05-25-1994	09-01-1994
ALP	UNICOR GEN	UNICOR	05-23-1994	05-25-1994
ALP	FS DR PM	FOOD SERVICE-DINING PM	04-16-1994	05-23-1994
ALP	U A&O	A&O UNIT	04-12-1994	04-16-1994
LVN	TEXT 3	TEXTILE 3RD FLOOR	10-10-1993	04-11-1994
LVN	PRINT C	PRINT EARLY SHIFT 11:30-8:00AM	09-08-1993	10-10-1993
LVN	PRINT A	PRINT DAY SHIFT 7:30-4:00	07-15-1993	09-08-1993
LVN	IND MAINT	INDUSTRIES MAINTENENCE	06-21-1993	07-15-1993
LVN	FS DINING	FOOD SERVICE DINING ROOM	04-02-1993	06-21-1993
LVN	FOOD	FOOD SERVICE	03-31-1993	04-02-1993
LVN	BCHU UTIL	UTILITY TEMPORARY ASSIGNMENT	02-17-1993	03-31-1993
LVN	A/O UNASSG	A & O UNASSIGNED	01-21-1993	02-17-1993
		Gap(s) in employment between assignments: 161 days		
OTV	EDUC	EDUCATION WORKER	04-02-1992	08-13-1992

DISCIPLINE HISTORY

UDC / DHO	Hearing Date	Report No.	Prohibited Act / Description	Sanction
DHO	03-11-2013	2415339	104 - POSSESSING A DANGEROUS WEAPON	DIS GCT / 40 DAYS / CS COMP: 20 LAW: S LP EMAIL / 9 MONTHS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR LP COMM / 8 MONTHS / CS COMP: LAW: EXPIRES 11/11/2013 IMPOUND / 1 MONTHS / CS COMP: LAW: EXCLUDING RELIGIOUS AND LEGAL MATERIAL DS / 30 DAYS / CS COMP: LAW: 1 MONTH PER 5270.09 EXPIRES 4/11/2013 MON FINE / 300 DOLLARS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR LP VISIT / 8 MONTHS / CS COMP: LAW: EXPIRES 11/11/2013 LP PHONE / 9 MONTHS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR
UDC	02-21-2013	2412146	321 - INTERFERING WITH	LP COMM / 15 DAYS / CS COMP: LAW: TO DETER FUTURE BEHAVIOR

Name: **BARNETT, BERNARD**RegNo: **04941-054**

			TAKING COUNT	
DHO	08-11-2009	1898342	297 - PHONE ABUSE-DISRUPT MONITORING	LP PHONE / 3 MONTHS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR & PROMOTE COMPLIANCE LAW: W/ RULES AND REGS REGARDING I/M TELEPHONE USE LP PHONE / 3 MONTHS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR (EXPIRES 11/11/2009) DS / 15 DAYS / CS COMP: LAW: TO DETER FURTHER BEHAVIOR DIS GCT / 27 DAYS / CS COMP: 20 LAW: S
DHO	04-08-2005	1311454	224 - ASSAULTING W/O SERIOUS INJURY	DS / 30 DAYS / CS COMP: LAW: DIS GCT / 27 DAYS / CS COMP: 20 LAW: S
DHO	06-23-1999	685903	111 - INTRODUCTION DRUGS/ALCOHOL	LP VISIT / 720 DAYS / CS COMP: LAW: THROUGH 06-22-01 LP PHONE / 180 DAYS / CS COMP: LAW: THROUGH 12-22-99 DS / 60 DAYS / CS COMP: DIS GCT / 40 DAYS / CS COMP: 20 LAW: S TRANSFER / 0 / CS COMP:
UDC	02-11-1997	470709	406 - USING PHONE OR MAIL W/O AUTH	REPRIMAND / 0 / CS COMP:
UDC	04-09-1996	395814	408 - CONDUCTING A BUSINESS W/O AUTH	LOSE PRIV / 90 DAYS / CS COMP: LAW: 90 DAYS LOSS OF VISITING PRIVILEGES.
UDC	02-13-1996	383104	408 - CONDUCTING A BUSINESS W/O AUTH	LOSE PRIV / 1 YEARS / CS COMP: LAW: LOSS OF SINGLE CELL
UDC	02-21-1995	293722	407 - VIOLATING VISITING REGULATIONS	LOSE PRIV / 45 DAYS / CS COMP: LAW: 45 DAYS LOSS OF VISITING.

MOVEMENT DATA

Facility	Assignment	Description	Start Date	Stop Date
CAA	A-DES	DESIGNATED, AT ASSIGNED FACIL	09-12-2011	CURRENT

MOVEMENT HISTORY

Facility	Assignment	Start Date	Stop Date
CAA	DESIGNATED, AT ASSIGNED FACIL	06-17-2011	09-12-2011
CAA	*MULTIPLE TRIPS IN/OUT OF CAA	05-27-2011	06-17-2011
LEE	DESIGNATED, AT ASSIGNED FACIL	03-02-2009	03-23-2009
LEE	*MULTIPLE TRIPS IN/OUT OF LEE	02-11-2009	02-17-2009
ATL	DESIGNATED, AT ASSIGNED FACIL	01-27-2003	01-06-2004
MAR	DESIGNATED, AT ASSIGNED FACIL	07-29-2002	01-21-2003
MAR	*MULTIPLE TRIPS IN/OUT OF MAR	03-18-2002	07-08-2002
ALP	DESIGNATED, AT ASSIGNED FACIL	04-12-1994	12-09-1999
LVN	DESIGNATED, AT ASSIGNED FACIL	01-15-1993	04-11-1994

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INMATE SKILLS DEVELOPMENT PLAN

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PROGRESS REPORT: 03-18-2014

NYM	PRE-SENTENCE ADMISSION	08-13-1992	08-13-1992
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CASE MANAGEMENT ASSIGNMENTS				
Facility	Assignment	Description	Start Date	Stop Date
CAA	RPP NEEDS	RELEASE PREP PGM NEEDS	12-01-2031	CURRENT
CAA	PROG RPT	NEXT PROGRESS REPORT DUE DATE	05-06-2015	CURRENT
CAA	V94 PV	V94 PAST VIOLENCE	11-25-2002	CURRENT
CAA	V94 CDB913	V94 CURR DRG TRAF BEFORE 91394	05-18-1996	CURRENT

MEDICAL DUTY STATUS ASSIGNMENTS				
Facility	Assignment	Description	Start Date	Stop Date
CAA	LOWER BUNK	LOWER BUNK REQUIRED	10-14-1999	CURRENT
CAA	REG DUTY W	REGULAR DUTY W/MED RESTRICTION	04-26-1994	CURRENT
CAA	YES F/S	CLEARED FOR FOOD SERVICE	03-08-1993	CURRENT
CAA	WGT 15 LB	WEIGHT-NO LIFTING OVER 15 LBS	02-11-1993	CURRENT
CAA	STAND RSTR	NO PROLONGED STANDING	02-11-1993	CURRENT
CAA	NO DRIVING	NO DRIVING-MEDICAL CONDITION	02-11-1993	CURRENT
CAA	HEAR RESTR	NO WORK IN HIGH NOISE AREAS	02-11-1993	CURRENT

Name: **BARNETT, BERNARD**RegNo: **04941-054****ACADEMIC**

Status	Response Summary
	INTELLECTUAL FUNCTIONING ⊕ no intellectual deficits Ⓜ has NOT attended special education classes
	LITERACY ⊕ GED obtained Ⓜ not obtained through BOP
	LANGUAGE ⊕ fluent in English as primary language
	COMPUTER SKILLS ⊖ lacks keyboarding skills ⊖ lacks word processing skills ⊖ lacks internet navigation skills

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**ACADEMIC****Progress and Goals**

PREVIOUS TEAM: 20090408

Contact Education for an interview: GED HAS: Recommend enroll in ACE and Computer classes by October 8, 2009.

PREVIOUS TEAM: 20090930

Enroll in a pc literacy related ACE class by 03/28/2010.

Contact Education for an interview: GED HAS: Recommend enroll in ACE and Computer classes by 03-2010.

PREVIOUS TEAM: 20100323

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Recommend inmate enroll and complete a computer literacy related ACE class by 9/22/2011.

no enrollments since 2009.

PREVIOUS TEAM: 20110925

Previous goal not complete. Recommend inmate enroll and complete a computer literacy related ACE class by 3/20/2012.

PREVIOUS TEAM: 20120320

no enrollments since 2009.

PREVIOUS TEAM: 20120918

Previous goal not completed. Short Term Goal- Recommend inmate enroll and complete a computer literacy related ACE class by 12/18/2012. Long Term Goal- Recommend inmate enroll and complete a secondary education class if possible.

Short Term Goal- Recommend inmate enroll and complete a computer literacy related ACE class by 9/20/2012. Long Term Goal- Recommend inmate enroll and complete a secondary education class if possible.

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short Term Goal- Recommend inmate enroll and complete a computer literacy related ACE class by 09/2013. Long Term Goal- Recommend inmate enroll and complete a secondary education class if possible, by 03-2014.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course. Short term goal- Immediately enroll in and complete a computer literacy related ACE class by next review. Long term goal- Complete post-secondary education classes by release.





PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course. Short term goal- Immediately enroll in and complete a computer literacy related ACE class by next review. Long term goal- Complete post-secondary education classes by release.

Name: BARNETT, BERNARD

RegNo: 04941-054

VOCATIONAL/CAREER

Status	Response Summary
	EMPLOYMENT HISTORY ① employed at time of arrest ⊕ consistent employment history within 5 years prior to incarceration
	CAREER DEVELOPMENT ⊕ possesses significant expertise in field ① Other, specify.... Self-employed selling jewelry from 1989 to 1992. Before that, employed by a maintenance company. <hr/> ⊖ no realistic career/job goals upon release
	INSTITUTION WORK HISTORY ⊖ has no consistent institution work history Eval: 06-01-2013 Satisfactory Eval: 05-01-2013 Satisfactory Eval: 04-01-2013 Satisfactory Eval: None Eval: None Eval: None ① other: Only three evals in file for specified period.
	POST INCARCERATION EMPLOYMENT ⊖ post-incarceration employment not secured ① other: life sentence <hr/> ⊖ no release documents obtained to date

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**VOCATIONAL/CAREER****Progress and Goals**

PREVIOUS TEAM: 20090408

Recommend enroll in VT classes by October 8, 2009.

He should enroll in a job vocational training program in case his sentence is ever reduced, enroll by 10-2009.

PREVIOUS TEAM: 20090930

enroll in a vt program by 03/28/2010.

Recommend enroll in VT classes by October 8, 2009.

He should enroll in a job vocational training program in case his sentence is ever reduced, enroll by 03-2010.

PREVIOUS TEAM: 20100323

no enrollments since 09-2009.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Recommend inmate enroll and complete either the VT Appliance repair Program or the Culinary Arts Program by 9/22/2011.

enroll vt program by 09-2011.

PREVIOUS TEAM: 20110925

Previous goal not complete. Recommend inmate enroll and complete either the VT Appliance repair Program or the Culinary Arts Program by 3/20/2012.

PREVIOUS TEAM: 20120320

PREVIOUS TEAM: 20120918

Short Term Goal- Recommend inmate enroll and complete either the VT Culinary or Appliance Repair program by 3/18/2013.
Long Term Goal- Recommend inmate enroll and complete a vocational HVAC or Electrical training.Short Term Goal- Recommend inmate enroll and complete either the VT Culinary or Appliance Repair program by 9/20/2012.
Long Term Goal- Recommend inmate enroll and complete a vocational HVAC or Electrical training.

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short Term Goal- Recommend inmate enroll and complete either the VT Culinary or Appliance Repair program by 9/2013. Long Term Goal- Recommend inmate enroll and complete a vocational HVAC or Electrical training by 03-2014.





PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.
Short term goal- Immediately enroll in and complete 260 hours in the VT Culinary Arts program by next review.
Long term goal- Complete the VT Culinary Arts program by September 2014.

PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.
Short term goal- Immediately enroll in and complete 260 hours in the VT Culinary Arts program by next review.
Long term goal- Complete the VT Culinary Arts program by March 2015.

Name: **BARNETT, BERNARD**RegNo: **04941-054****INTERPERSONAL**

Status	Response Summary
	RELATIONSHIPS ⊖ other: unknown ⊖ negative peer influences prior to incarceration ⓘ criminal associates ⓘ substance abuser associates
	FAMILY TIES/SUPPORT SYSTEM ⊕ consistent social support available Spouse: Financial Spouse: Emotional Spouse: General Immediate Family: Financial Immediate Family: Emotional Immediate Family: General Relative: Financial Relative: Emotional Relative: General
	PARENTAL RESPONSIBILITY ⓘ no children under the age of 21 ⓘ no children under the age of 21 financially responsible for ⓘ RRC (MINT) Placement is not applicable
	COMMUNICATION ⊕ displays good communication skills

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INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**INTERPERSONAL****Progress and Goals**

PREVIOUS TEAM: 20090408

Maintain ties with adult children, wife, family, and friends. continuous.

PREVIOUS TEAM: 20090930

Maintain ties with adult children, wife, family, and friends. continuous.

PREVIOUS TEAM: 20100323

Maintain ties with adult children, wife, family, and friends. continuous.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Communicate with staff and unit team. Enroll in a counseling group that relates to any adverse life experiences and complete within six months. Maintain or reestablish relationship with family and/or friends. Communicate with family weekly. Participate and complete a class within six months. Enroll in the 40 Hour Drug Program and participate when eligible.

PREVIOUS TEAM: 20110925

Communicate with staff and unit team. Enroll in a counseling group that relates to any adverse life experiences and complete within six months. Maintain or reestablish relationship with family and/or friends. Communicate with family weekly. Participate and complete a class within six months or 03-2012. Enroll in the 40 Hour Drug Program and participate when eligible.

PREVIOUS TEAM: 20120320

Short term: Complete victim impact group by next review.

Long term: Enroll in and participate in victim impact panel within next 2-3 years

PREVIOUS TEAM: 20120918

no enrollments since 2009.

Short term: Complete victim impact group by next review.

Long term: Enroll in and participate in victim impact panel within next 2-3 years

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short term: Complete victim impact group by next review, or 09-2013.

Long term: Enroll in and participate in victim impact panel by 03-2014.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete the Life Skills program by next review.

Long term goal- Enroll in and complete the Victim Impact Group by September 2014.





PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete the Life Skills program by next review.

Long term goal- Enroll in and complete the Victim Impact Group by March 2015.

Name: **BARNETT, BERNARD**RegNo: **04941-054****WELLNESS**

Status	Response Summary
	HEALTH PROMO/DISEASE PREVENT <ul style="list-style-type: none"> <input type="radio"/> overweight <input checked="" type="radio"/> height 6 ft. 0 in. <input checked="" type="radio"/> weight (lbs) 218 <input checked="" type="radio"/> BMI Score 29.6 <input checked="" type="radio"/> date calculated 05-17-2011 <input type="radio"/> no regular exercise <input checked="" type="radio"/> no evidence of behaviors associated with increased risk of infectious disease <input checked="" type="radio"/> does not use tobacco (cigarettes, cigars, and/or smokeless tobacco) <input type="radio"/> did not have a primary care provider or clinic (prior to incarceration) <input type="radio"/> does not have health insurance coverage upon release
	DISEASE/ILLNESS MANAGEMENT <ul style="list-style-type: none"> <input checked="" type="radio"/> complies with treatment recommendations and/or takes medications as prescribed, or none required <input checked="" type="radio"/> healthy - No current health concerns <input checked="" type="radio"/> no dental problems <input checked="" type="radio"/> no non-routine services/assistance devices needed
	TRANSITIONAL PLAN <ul style="list-style-type: none"> <input checked="" type="radio"/> does not require medication upon release from custody <input checked="" type="radio"/> does not require on-going treatment or follow-up after release from custody <input checked="" type="radio"/> TB Clearance Complete - See Exit Summary <input checked="" type="radio"/> RRC placement is not applicable
	GOVERNMENT ASSISTANCE <ul style="list-style-type: none"> <input checked="" type="radio"/> has not previously received Social Security assistance <input checked="" type="radio"/> inmate indicates he/she may not be eligible for Social Security assistance after release <input checked="" type="radio"/> has not served in the U.S. Armed Forces, U.S. Military Reserves, AND/OR U.S. National Guard <input checked="" type="radio"/> spouse or a parent has not served in the U.S. Armed Forces, U.S. Military Reserves, AND/OR U.S. National Guard

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INMATE SKILLS DEVELOPMENT PLAN

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PROGRESS REPORT: 03-18-2014**WELLNESS****Progress and Goals**

PREVIOUS TEAM: 20090408

Recommend enroll in wellness classes by October 8, 2009.

PREVIOUS TEAM: 20090930

PREVIOUS TEAM: 20100323

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

PREVIOUS TEAM: 20110925

PREVIOUS TEAM: 20120320

PREVIOUS TEAM: 20120918

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short term goal - Immediately enroll in one outdoor recreational activity during summer months to maintain fitness while incarcerated, by 09-2013. Long term goal - Learn methods to keeping physical fitness in check, by 03-2014.





PREVIOUS TEAM: 20130917

Progress since last team- Previous goal complete, as inmate has enrolled in a nutrition course.
 Short term goal- Immediately enroll in and complete Maintaining Your Health course by next review.
 Long term goal- Participate in the annual Health Fair by September 2014.

PREVIOUS TEAM: 20140313

Progress since last team- Previous goal complete, as inmate has enrolled in a nutrition course.
 Short term goal- Immediately enroll in and complete Maintaining Your Health course by next review.
 Long term goal- Participate in the annual Health Fair by September 2014.

Name: **BARNETT, BERNARD**RegNo: **04941-054****MENTAL HEALTH**

Status	Response Summary
	SUBSTANCE ABUSE MANAGEMENT ⊖ evidence of inappropriate use of alcohol, prescription medications and/or illegal drugs in the year prior to arrest heroin: Weekly ⊖ no history of substance abuse treatment ⓘ not currently participating in substance abuse treatment
	MENTAL ILLNESS MANAGEMENT ⊕ no history of mental health diagnosis prior to incarceration ⊕ no mental health diagnosis during incarceration ⊕ no history of serious suicidal ideation or attempts
	TRANSITIONAL PLAN ⊕ no medication required upon release from custody ⊕ does not require on-going treatment after release from custody ⊕ psychology services recommends RRC placement
	APPROPRIATE SEXUAL BEHAVIOR ⊕ no evidence of sexually inappropriate behavior

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PROGRESS REPORT: 03-18-2014**MENTAL HEALTH****Progress and Goals**

PREVIOUS TEAM: 20090408

No treatment/program recommendations at time of intake screening.

PREVIOUS TEAM: 20090930

No treatment/program recommendations at time of intake screening.

PREVIOUS TEAM: 20100323

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

PREVIOUS TEAM: 20110925

PREVIOUS TEAM: 20120320

PREVIOUS TEAM: 20120918

PREVIOUS TEAM: 20130410

no enrollments in over 3 years.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete 40 hour Drug Education course by next review.

Long term goal- Enroll in and complete RDAP/CHALLENGE prior to release.





PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete 40 hour Drug Education course by next review.

Long term goal- Enroll in and complete RDAP/CHALLENGE prior to release

Name: **BARNETT, BERNARD**RegNo: **04941-054****COGNITIVE**

Status	Response Summary
	GENERAL BEHAVIOR <ul style="list-style-type: none"> ⊖ evidence of behavioral problems as a juvenile ① arrest record as a juvenile ① other: robbery and murder <hr/> <ul style="list-style-type: none"> ⊖ evidence of behavioral problems as an adult ① 100 series incident reports ① 200 series incident reports ① 400 series incident reports
	CRIMINAL HISTORY <ul style="list-style-type: none"> ⊖ two or more convictions <ul style="list-style-type: none"> robberies: Multiple occurrence(s) drug offenses: Multiple occurrence(s) homicide/manslaughter/murder: Single occurrence(s) weapons violations: Multiple occurrence(s) other (attempted class E felony): Single occurrence(s)
	DOMESTIC VIOLENCE/ABUSE <ul style="list-style-type: none"> ⊕ no history of domestic violence or abuse
	CRIMINAL BEHAVIOR <ul style="list-style-type: none"> ⊕ no onset of criminal behavior before the age of 14 ⊕ no criminal versatility: Convictions in less than 3 categories ⊖ significant history of violence: 2 or more violent convictions

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INMATE SKILLS DEVELOPMENT PLAN

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PROGRESS REPORT: 03-18-2014**COGNITIVE****Progress and Goals**

PREVIOUS TEAM: 20090408

Maintain clear conduct while incarcerated, continuous.

PREVIOUS TEAM: 20090930

Maintain clear conduct while incarcerated, continuous.

PREVIOUS TEAM: 20100323

Maintain clear conduct while incarcerated, continuous.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Maintain a clear conduct record. Interact respectfully with staff daily, abide by rules and regulations, and attend scheduled callouts. Be considerate of cellmate and others in housing unit. Enroll in a counseling group (e.g. Drug Education, Anger Management, Living Skills, etc.) that addresses irrational/criminal thinking patterns, solving problems effectively, self-control, improve communication skills etc... and complete at least one course within six months. Set positive goals for yourself.

PREVIOUS TEAM: 20110925

Maintain a clear conduct record. Interact respectfully with staff daily, abide by rules and regulations, and attend scheduled callouts. Be considerate of cellmate and others in housing unit. Enroll in a counseling group (e.g. Drug Education, Anger Management, Living Skills, etc.) that addresses irrational/criminal thinking patterns, solving problems effectively, self-control, improve communication skills etc. and complete at least one course within six months or 06-2012. Set positive goals for yourself.

PREVIOUS TEAM: 20120320

Short term: Complete psych courses on anger management and stress management by next review.
Long term: maintain good conduct throughout period of incarceration.

PREVIOUS TEAM: 20120918

no enrollments since 2009.

Short term: Complete victim impact group by next review.
Long term: Enroll in and participate in victim impact panel within next 2-3 years

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short term goal -Immediately enroll in Criminal Lifestyles course to learn to recognize how inappropriate behavior choices are the result of faulty thinking processes, by 09-2013. Long term goal - Through courses at this facility, learn how to better yourself by refraining from behavior that will only lead to problems for you, by 03-2014.



PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.
Short term: Immediately enroll in and complete RPP Stress Management course by next review.
Long term: Enroll in and complete RPP Anger Management course by September 2014.

PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.
Short term: Immediately enroll in and complete RPP Stress Management course by next review.
Long term: Enroll in and complete RPP Anger Management course by March 2015

Name: **BARNETT, BERNARD**RegNo: **04941-054****CHARACTER**

Status	Response Summary
	PERSONAL CHARACTER <ul style="list-style-type: none">⊖ no history of behaviors indicative of positive personal characterⓘ religious assignment: BUDDHIST <hr/> <ul style="list-style-type: none">⊕ no evidence easily influenced by other
	PERSONAL RESPONSIBILITY <ul style="list-style-type: none">ⓘ reports responsibility for current incarceration as:⊖ law enforcement corruption <hr/> <ul style="list-style-type: none">⊖ no efforts to make amends for their crime(s)

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INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**CHARACTER****Progress and Goals**

PREVIOUS TEAM: 20090408

Enroll Victim Impact Group by 10-2009.

PREVIOUS TEAM: 20090930

Enroll Victim Impact Group by 03-2010.

PREVIOUS TEAM: 20100323

Enroll Victim Impact Group by 09-2010.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

If you have religious beliefs, participate in services in the Chapel every week. Accept responsibility for your actions and set personal goals that will enhance your character. Provide assistance to others that will impact their lives positively. Make scheduled FRP payments until completion of obligation.

PREVIOUS TEAM: 20110925

If you have religious beliefs, participate in services in the Chapel every week. Accept responsibility for your actions and set personal goals that will enhance your character. Provide assistance to others that will impact their lives positively.

PREVIOUS TEAM: 20120320

Short term: Complete Psych class Stress Management by next review.

Long term: continue with psych services through incarceration to address individual adjustment issues.

PREVIOUS TEAM: 20120918

no enrollments since 2009.

Short term: Complete Psych class Stress Management by next review.

Long term: continue with psych services through incarceration to address individual adjustment issues.

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short term: Complete Psych class Stress Management by next review, or 09-2013. Long term: continue with psych services through incarceration to address individual adjustment issues, by 2014.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete Living Free course by next review.

Long term goal- Enroll in and complete Walking Your Faith course by September 2014.


PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete Living Free course by next review.

Long term goal- Enroll in and complete Walking Your Faith course by March 2015.

Name: **BARNETT, BERNARD**RegNo: **04941-054****LEISURE**

Status	Response Summary
	USE OF LEISURE TIME <ul style="list-style-type: none">⊖ insufficient variety of activities to warrant overall positive use of leisure Time⊕ family time

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**LEISURE****Progress and Goals**

PREVIOUS TEAM: 20090408

Recommend enroll in Leisure classes by October 8, 2009.

Enroll in Leisure Time activities by 10-2009.

PREVIOUS TEAM: 20090930

Recommend inmate enroll in either a recreation leisure or wellness class or a education ace class of choice by 03/28/2010.

Recommend enroll in Leisure classes by October 8, 2009.

Enroll in Leisure Time activities by 03-2010.

PREVIOUS TEAM: 20100323

Recommend inmate enroll in either a recreation leisure or wellness class or a education ace class of choice by 09/2010.

Recommend enroll in Leisure classes by 09/2010.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Recommend inmate enroll and complete either Education Department ACE classes or Recreation Department hobby, wellness, or leisure classes by 9/22/2011.

Develop positive leisure time activities in order to limit idle time. Read at least one book, enroll in an exercise program/sports activity, or a hobby craft in education and complete within six months.

PREVIOUS TEAM: 20110925

Previous goal not complete. No recent evidence of positive leisure activities. Recommend inmate enroll and complete either Education Department ACE classes or Recreation Department hobby, wellness, or leisure classes by 3/20/2012.

PREVIOUS TEAM: 20120320

Short term: Complete two recreation courses by next review.

Long term: Increase fitness and health throughout incarceration.

PREVIOUS TEAM: 20120918

Previous goal not complete. No evidence of positive programming since 2009. Short Term Goal- Recommend inmate enroll and complete either Education Department ACE classes or Recreation Departmentmen hobby, wellness, or leisure classes by 12/20/2012. Long Term Goal- Complete two leisure classes a quarter.

Previous goal not complete. No evidence of positive programming since 2009. Short Term Goal- Recommend inmate enroll and complete either Education Department ACE classes or Recreation Departmentmen hobby, wellness, or leisure classes by 9/20/2012. Long Term Goal- Complete two leisure classes a quarter.

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. short term Goal- Recommend inmate enroll and complete either Education Department ACE classes or Recreation Department hobby, wellness, or leisure classes by 9/20/2013. Long Term Goal- Complete two leisure classes a quarter, by 03-2014.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete Drawing course by next review.







Long term goal- Enroll in and complete Intermediate Drawing course by September 2014.

Name: **BARNETT, BERNARD**RegNo: **04941-054****LEISURE**

PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.
 Short term goal- Immediately enroll in and complete Drawing course by next review.
 Long term goal- Enroll in and complete Intermediate Drawing course by March 2015.

DAILY LIVING



Status	Response Summary
	FINANCIAL MANAGEMENT <ul style="list-style-type: none"> ⊕ knowledge in maintaining checking account ⊕ knowledge in maintaining savings account ⊕ knowledge in utilizing an ATM debit card ⊕ knowledge in obtaining loans ⊖ no positive credit history ⊖ did not live within financial means ⊕ pays monthly bills on time
	FOOD MANAGEMENT <ul style="list-style-type: none"> ⊕ possesses grocery shopping/consumer skills ⊕ makes good nutritional choices to maintain health ⊕ possesses basic food preparation skills ⊕ knowledgeable in accessing community resources to obtain food
	PERSONAL HYGIENE/SANITATION <ul style="list-style-type: none"> ⊕ good personal hygiene and sanitation ① quarters assignment: HOUSE C/RANGE 01/BED 109L
	TRANSPORTATION <ul style="list-style-type: none"> ⊖ does not have valid driver's license ⊖ Outstanding motor vehicle violations <hr/> <ul style="list-style-type: none"> ⊖ does not own personal vehicle with appropriate insurance ⊖ does not possess public transportation skills and/or does not have access to public transportation
	IDENTIFICATION <ul style="list-style-type: none"> ⊖ does not have photo identification ⊖ does not have birth certificate ⊖ does not have social security card
	HOUSING <ul style="list-style-type: none"> ⊕ established housing year prior to incarceration ① established housing: paid rent ① established housing: lived with family ① established housing: non-publicly assisted ⊖ established housing in a high crime neighborhood <hr/> <ul style="list-style-type: none"> ⊕ housing upon release ① not applicable - supervision district a relocation ① not applicable - anticipated housing plan approved by USPO(s) ① other: Currently serving a life sentence.

Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**DAILY LIVING**

	RESIDENTIAL REENTRY CENTER (RRC) PLACEMENT <ul style="list-style-type: none">⊖ not recommended for RRC placement① Managment Decision: life sentence
	FAMILY CARE <ul style="list-style-type: none">⊕ not responsible for obtaining child care for any dependent children upon release⊕ not responsible for obtaining elder care for any dependent(s) upon release⊕ not responsible for obtaining any other special services for dependents upon release

Name: **BARNETT, BERNARD**RegNo: **04941-054****DAILY LIVING****Progress and Goals**

PREVIOUS TEAM: 20090408

PREVIOUS TEAM: 20090930

Recommend inmate complete rpp finance class by 03/28/2010.

not eligible for rrc.

PREVIOUS TEAM: 20100323

not eligible for rrc.

PREVIOUS TEAM: 20100921

PREVIOUS TEAM: 20110322

Recommend inmate complete the Education Department RE/RPP Financial Management class by 9/22/2011.

Maintain good hygiene and cell sanitation. Save funds. Obtain Social Security Card and Birth Certificate. Complete Release Preparation Program. Secure housing and employment arrangements prior to release. Complete resume.

PREVIOUS TEAM: 20110925

Previous goal not complete. Recommend inmate complete the Education Department RE/RPP Financial Management class by 3/20/2012.

PREVIOUS TEAM: 20120320

life sentence.

Short term: Obtain SS card by next review.

Long term: Obtain drivers lic and birth cert by release date.

Long term: Submit release plan to team 18 months prior to release.

PREVIOUS TEAM: 20120918

Short Term Goal- Recommend inmate enroll and complete the Education Department Parenting class by 12/18/2012. Long term Goal- Complete all RPP classes.

Short Term Goal- Recommend inmate enroll and complete the Education Department Parenting class. Long term Goal- Complete all RPP classes.

PREVIOUS TEAM: 20130410

no enrollments in over 3 years. Short Term Goal- Recommend inmate enroll and complete the Education Department Parenting class, by 09-2013. Long term Goal- Complete all RPP classes, by 09-2014.

PREVIOUS TEAM: 20130917

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete RPP Money Management course by next review.

Long term goal- Enroll in and complete RPP Portfolio course by September 2014

PREVIOUS TEAM: 20140313

Progress since last team- Previous goal not complete, as inmate has not enrolled in recommended course.

Short term goal- Immediately enroll in and complete RPP Money Management course by next review.






Long term goal- Enroll in and complete RPP Portfolio course by September 2014






Department of Justice

INMATE SKILLS DEVELOPMENT PLAN

Federal Bureau of Prisons

PROGRESS REPORT: 03-18-2014**INMATE SKILLS STATUS**

Status	Initial Assessment 04-08-2009	Previous Assessment 03-13-2014	Current Assessment 03-18-2014
 Attention Required	47.2%	52.8%	52.8%
 Mitigating Issues	0%	0%	0%
 Unanswered	15.6%	0%	0%
 Satisfactory	33.9%	43.9%	43.9%
 Not Applicable	3.3%	3.3%	3.3%

Skill Area	Attention Required 	Mitigating Issues 	Unanswered 	Satisfactory 	Not Applicable 
Academic	5%	0%	0%	95%	0%
Vocational/Career	75%	0%	0%	25%	0%
Interpersonal	25%	0%	0%	65%	10%
Wellness	15%	0%	0%	65%	20%
Mental Health	25%	0%	0%	75%	0%
Cognitive	80%	0%	0%	20%	0%
Character	80%	0%	0%	20%	0%
Leisure	100%	0%	0%	0%	0%
Daily Living	70%	0%	0%	30%	0%

**Bureau of Prisons
Health Services
Inmate Intra-system Transfer**

Reg #: 04941-054

Inmate Name: BARNETT, BERNARD

SENSITIVE BUT UNCLASSIFIED – This information is confidential and must be appropriately safeguarded.

Transfer To: LEW SMU

Transfer Date: 10/16/2014

Health Problems

Type	Health Problem	Status
Chronic	Nerve pain, neuralgia neuritis, radiculitis	Current
Chronic	Polyneuropathy in diabetes	Current
Chronic	Other allergy, other than to medicinal agents	Current
Chronic	Dermatitis due to other specified cause	Current
Chronic	Idiopathic progressive polyneuropathy	Current
Chronic	Hypertension, Benign Essential	Current
Chronic	Other specified disorders of skin	Current
Chronic	Cataract associated with other syndrome	Current
Chronic	Hyperlipidemia, mixed	Current
Chronic	Diabetes mellitus, type II, uncontrolled	Current
Chronic	Calc of gallbladder and bile duct w/oth cholecys	Current
Chronic	Disorder of eye, unspecified	Current
Chronic	Other atopic dermatitis and related conditions	Current
Chronic	Hernia, inguinal , w/o obstruction or gangrene	Current
Chronic		
Chronic	Hypertrophy (benign) of prostate w/urinary obstruc	Current
Temporary/Acute	Pruritis, unspecified pruritic disorder	Current
Temporary/Acute	Dermatophytosis of foot (Tinea pedis)	Current
Temporary/Acute	Hernia of other specified sites	Current
Temporary/Acute	Broken tooth traumatic w/o mention of complication	Current
Temporary/Acute	Other specified disorder of rectum and anus	Current
BLEEDING FROM RECTUM		
Temporary/Acute	Allergic urticaria	Current
Temporary/Acute	Other injury of knee, leg, ankle, and foot	Current
Temporary/Acute	Oth symp involving skin and integumentary tissue	Current
	allergic dermatitis	
Temporary/Acute	Urethral stricture, unspecified	Current
Temporary/Acute	Attention to colostomy	Current
	discharge for hospital today	
Temporary/Acute	Late effect of sprain and strain w/o tendon injury	Current
	left ankle	
History/Resolved	Perforation of intestine	Current
History/Resolved	Inguinal hernia, w/ obstruction, without gangrene	Current
	left	
History/Resolved	Other specified peritonitis	Current

Medications: All medications to be continued until evaluated by a physician unless otherwise indicated.
Bolded drugs required for transport.

Contact -Opti-Free ReplenISH Solution 118 ml Exp: 03/03/2015 SIG: Use as directed. 1 bottle/month
 glyBURIDE 5 MG Tab Exp: 04/06/2015 SIG: Take two tablets by mouth each morning and---Take one tablet
 by mouth each evening
 Glucose 4 GM Tab Exp: 04/06/2015 SIG: Use for emergency symptoms of low blood sugar only **limit 1
 tube/30 days** if using more go to sick call
 Insulin Reg (10 ML) 100 UNITS/ML Inj Exp: 04/06/2015 SIG: Inject subcutaneously per sliding scale: twice
 daily 0-60 (none see protocol) 61-150(none)151-200(2units)201-250(4units)251-300(6units)301-350(8units)351-
 400(10units)>400(12units & notify provider)
 metFORMIN 1000 MG Tab Exp: 04/06/2015 SIG: Take one tablet by mouth twice daily
 Terazosin HCl 5 MG Cap Exp: 04/06/2015 SIG: Take one capsule by mouth twice daily

OTCs: Listing of all known OTCs this inmate is currently taking.

None

Reg #: 04941-054

Inmate Name: BARNETT, BERNARD

SENSITIVE BUT UNCLASSIFIED – This information is confidential and must be appropriately safeguarded.

Pending Appointments

<u>Date</u>	<u>Time</u>	<u>Activity</u>	<u>Provider</u>
11/05/2014	00:00	Optometry Exam	Optometrist
11/05/2014	00:00	Assessment	MLP 06
02/13/2015	00:00	PPD Administration	Nurse
04/01/2015	00:00	Assessment	MLP 06
10/01/2015	00:00	Chronic Care Visit	Physician 04
10/08/2015	11:00	Chronic Care Visit	Physician 04
10/06/2016	00:00	Chronic Care Visit	Physician 01

Pending Non-Medication Orders:

<u>Order</u>	<u>Order Date</u>	<u>Frequency</u>	<u>Duration</u>	<u>Details</u>
EKG	10/07/2014	One Time		

TB Clearance: Yes

Last PPD Date: 02/13/2014

Last Chest X-Ray Date: _____

TB Treatment: _____

TB Follow-up Recommended: No

Induration: 0mm

Results: _____

Sx free for 30 days: Yes

Sickle Cell:

Sickle Cell Trait/Disease: No

Limitations/Restrictions/Diets:

Cleared for Food Service: Yes

Comments:**Allergies**

Sulfa Antibiotics

Simvastatin

Devices / Equipment

Contact Lenses

Travel:

Direct Travel: No

Travel Restrictions: None

UNIVERSAL PRECAUTIONS OBSERVED WHEN TRANSPORTING ANY INMATE:

Transfer From Institution: CANAAN USP

Phone Number: 5704888000

Address 1: 3057 EASTON TURNPIKE

Address 2: _____

City/State/Zip: WAYMART, Pennsylvania 18472

Name/Title of Person Completing Form: Kabonick, M. EMT-P

Date: 10/14/2014

Inmate Name: BARNETT, BERNARD

Reg #: 04941-054

DOB: 09/02/1953

Sex: M

**Bureau of Prisons
Health Services
Vitals All**

Begin Date: 09/01/2014	End Date: 12/15/2014
Reg #: 04941-054	Inmate Name: BARNETT, BERNARD

Temperature:

<u>Date</u>	<u>Time</u>	<u>Fahrenheit</u>	<u>Celsius</u>	<u>Location</u>	<u>Provider</u>
11/24/2014	08:20 LEW	97.7	36.5	Oral	Alama, F. MLP
Orig Entered: 11/24/2014 15:40 EST Alama, F. MLP					

Pulse:

<u>Date</u>	<u>Time</u>	<u>Rate Per Minute</u>	<u>Location</u>	<u>Rhythm</u>	<u>Provider</u>
11/24/2014	08:20 LEW	64	Brachial	Regular	Alama, F. MLP
Orig Entered: 11/24/2014 15:40 EST Alama, F. MLP					
10/22/2014	14:52 LEW	69			Edinger, Andrew MD
Orig Entered: 10/24/2014 14:55 EST Edinger, Andrew MD					

Respirations:

<u>Date</u>	<u>Time</u>	<u>Rate Per Minute</u>	<u>Provider</u>
11/24/2014	08:20 LEW	16	Alama, F. MLP
Orig Entered: 11/24/2014 15:40 EST Alama, F. MLP			
10/22/2014	14:52 LEW	20	Edinger, Andrew MD
Orig Entered: 10/24/2014 14:55 EST Edinger, Andrew MD			

Blood Pressure:

<u>Date</u>	<u>Time</u>	<u>Value</u>	<u>Location</u>	<u>Position</u>	<u>Cuff Size</u>	<u>Provider</u>
12/15/2014	09:38 LEW	124/78				Hartzel, Lori RN
Orig Entered: 12/15/2014 09:39 EST Hartzel, Lori RN						
11/24/2014	08:20 LEW	167/90	Left Arm	Sitting	Adult-regular	Alama, F. MLP
Orig Entered: 11/24/2014 15:40 EST Alama, F. MLP						
10/22/2014	14:52 LEW	141/82				Edinger, Andrew MD
Orig Entered: 10/24/2014 14:55 EST Edinger, Andrew MD						

Blood Glucose:

<u>Date</u>	<u>Time</u>	<u>Value (mg/dl)</u>	<u>Type</u>	<u>Regular Insulin</u>	<u>Provider</u>
12/07/2014	15:40 LEW	168	Random		Schoonover, Amy J RN
Random check r/t I/M reports feeling like his glucose is high.					
Orig Entered: 12/07/2014 15:42 EST Schoonover, Amy J RN					
11/18/2014	16:16 LEW	103	Random		Schoonover, Amy J RN
Orig Entered: 11/18/2014 16:17 EST Schoonover, Amy J RN					
11/18/2014	07:32 LEW	103	Unknown		Mitterling, Jeana RN
Orig Entered: 11/18/2014 07:33 EST Mitterling, Jeana RN					
11/17/2014	16:45 LEW	137	Random		Schoonover, Amy J RN
Orig Entered: 11/17/2014 16:47 EST Schoonover, Amy J RN					
11/17/2014	07:33 LEW	118	Random		Dees, S. NREMT-P
Orig Entered: 11/17/2014 07:34 EST Dees, S. NREMT-P					
11/15/2014	08:51 LEW	91	Unknown		Hartzel, Lori RN
Orig Entered: 11/15/2014 08:54 EST Hartzel, Lori RN					

**Bureau of Prisons
Health Services
Clinical Encounter**

Inmate Name: BARNETT, BERNARD

Date of Birth: 09/02/1953

Encounter Date: 11/24/2014 08:20

Sex: M Race: BLACK

Provider: Alama, F. MLP

Reg #: 04941-054

Facility: LEW

Unit: X03

Evaluation encounter performed at Special Housing Unit.

SUBJECTIVE:**COMPLAINT 1** Provider: Alama, F. MLP**Chief Complaint:** Numbness**Subjective:** A 61 year old BM complains of tingling and numbness of this left arm. He denies injury or chest pains. He's asking about glucometer.**Pain Location:****Pain Scale:** 0**Pain Qualities:****History of Trauma:****Onset:****Duration:****Exacerbating Factors:****Relieving Factors:****Comments:****OBJECTIVE:****Temperature:**

Date	Time	Fahrenheit	Celsius	Location	Provider
11/24/2014	08:20 LEW	97.7	36.5	Oral	Alama, F. MLP

Pulse:

Date	Time	Rate Per Minute	Location	Rhythm	Provider
11/24/2014	08:20 LEW	64	Brachial	Regular	Alama, F. MLP

Respirations:

Date	Time	Rate Per Minute	Provider
11/24/2014	08:20 LEW	16	Alama, F. MLP

Blood Pressure:

Date	Time	Value	Location	Position	Cuff Size	Provider
11/24/2014	08:20 LEW	167/90	Left Arm	Sitting	Adult-regular	Alama, F. MLP

Exam:**General****Appearance**

Yes: Appears Well, Alert & Oriented to Person, Alert & Oriented to Place, Alert & Oriented to Time

Skin**General**

Yes: Skin Intact

Eyes**General**

Yes: PERRLA, Extraocular Movements Intact

Nose

Inmate Name: BARNETT, BERNARD
Date of Birth: 09/02/1953
Encounter Date: 11/24/2014 08:20

Sex: M Race: BLACK
Provider: Alama, F. MLP

Reg #: 04941-054
Facility: LEW
Unit: X03

Exam:**General**

Yes: Nares Patent

Face**General**

Yes: Symmetric

No: Numbness

Lips**General**

Yes: Within Normal Limits

No: Vesicular Eruptions

Neck**General**

Yes: Symmetric, Trachea Midline

Thyroid

Yes: Within Normal Limits

No: Diffuse Enlargement

Pulmonary**Observation/Inspection**

Yes: Within Normal Limits

No: Respiratory Distress

Thorax

Yes: Within Normal Limits

Percussion

Yes: Within Normal Limits

Auscultation

Yes: Clear to Auscultation

Cardiovascular**Observation**

Yes: Within Normal Limits, Normal Rate, Regular Rhythm

Auscultation

Yes: Regular Rate and Rhythm (RRR)

No: Systolic Murmur

Abdomen**Inspection**

Yes: Within Normal Limits

Auscultation

Yes: Normo-Active Bowel Sounds

Palpation

Yes: Soft

No: Guarding, Rigidity

Musculoskeletal**Shoulder**

Yes: Symmetric L, Normal Active ROM L, Normal Passive ROM L

Elbow

Yes: Symmetric L, Normal Active ROM L, Neurovascular Intact L

No: Joint Deformity L

Mental Health

Inmate Name: BARNETT, BERNARD
 Date of Birth: 09/02/1953
 Encounter Date: 11/24/2014 08:20

Sex: M Race: BLACK
 Provider: Alama, F. MLP

Reg #: 04941-054
 Facility: LEW
 Unit: X03

Exam:**Posture**

Yes: Within Normal Limits

Grooming/Hygiene

Yes: Within Normal Limits

ASSESSMENT:

Diabetes mellitus, type II, uncontrolled, 250.02 - Current, Chronic, Not Improved/Same

Hypertension, Benign Essential, 401.1 - Current, Chronic, Not Improved/Same

PLAN:**Disposition:**

Follow-up at Sick Call as Needed

Return Immediately if Condition Worsens

Other:

Inmate mentioned he's not comfortable with his cellmate. Notified the escort officer.

Inmate wants the glucometer back but based on the previous notes of Dr. Edinger ,no device shallbe given to this inmate excepts meds.

Patient Education Topics:

<u>Date Initiated</u>	<u>Format</u>	<u>Handout/Topic</u>	<u>Provider</u>	<u>Outcome</u>
11/24/2014	Counseling	Compliance - Treatment	Alama, F.	Verbalizes Understanding

Copay Required: No

Cosign Required: No

Telephone/Verbal Order: No

Completed by Alama, F. MLP on 11/24/2014 15:58

Requested to be reviewed by Pigos, Kevin MD/Clinical Director.

Review documentation will be displayed on the following page.

**Bureau of Prisons
Health Services
Cosign/Review**

Inmate Name:	BARNETT, BERNARD	Reg #:	04941-054
Date of Birth:	09/02/1953	Sex:	M
Encounter Date:	11/24/2014 08:20	Provider:	Alama, F. MLP
		Race:	BLACK
		Facility:	LEW

Reviewed by Pigos, Kevin MD/Clinical Director on 11/25/2014 09:48.

**Bureau of Prisons
Health Services
Clinical Encounter**

Inmate Name: BARNETT, BERNARD
Date of Birth: 09/02/1953
Encounter Date: 10/22/2014 13:44

Sex: M Race: BLACK
Provider: Edinger, Andrew MD

Reg #: 04941-054
Facility: LEW
Unit: X03

Chronic Care encounter performed at Housing Unit.

SUBJECTIVE:

COMPLAINT 1 **Provider:** Edinger, Andrew MD

Chief Complaint: DIABETIC

Subjective: Inmate presents for 14 day new arrival evaluation. He has a known history of Type 2 DM, hypercholesterolemia, HTN, and diabetic neuropathy. He also has a history of damage to his right eye from a botched radial keratotomy. He states that he is required to wear two contact lenses in that eye to get him corrected to 20/80. He also requests depends undergarments because of episodic fecal incontinence. He has a history of a sigmoid perforation in 2009. He require secondary reanastomosis 6 weeks later. This has resulted in a decrease in his bowel control. He reports having episodic fecal incontinence which appears to have a stress related pattern. It occurs about once every 6 weeks.

Pain Location:

Pain Scale: 0

Pain Qualities:

History of Trauma:

Onset:

Duration:

Exacerbating Factors:

Relieving Factors:

Comments:

Seen for clinic(s): Diabetes, Endocrine/Lipid, Hypertension, Neurology

ROS:

General

Constitutional Symptoms

No: Fatigue, Fever, Unexplained Weight Loss, Weight Gain

Integumentary

Skin

Yes: Within Normal Limits

HEENT

Ears

Yes: Within Normal Limits

Eyes

Yes: Hx Contact Lenses, Visual Loss

Cardiovascular

General

Yes: Hx Hypertension, Hx of Hyperlipidemia

No: Angina, Cough, Edema, Palpitation, Syncope

Pulmonary

Respiratory System

Yes: Within Normal Limits

GI

Inmate Name: BARNETT, BERNARD
 Date of Birth: 09/02/1953
 Encounter Date: 10/22/2014 13:44

Sex: M Race: BLACK
 Provider: Edinger, Andrew MD

Reg #: 04941-054
 Facility: LEW
 Unit: X03

Exam:

Tympanic Membrane

Yes: Within Normal Limits

Mouth

Mucosa

Yes: Within Normal Limits

Neck

General

Yes: Supple

No: Lymphadenopathy

Vascular

Yes: Carotid Pulse Normal

No: Carotid Bruits

Pulmonary

Auscultation

Yes: Clear to Auscultation

No: Crackles, Rhonchi, Wheezing

Cardiovascular

Auscultation

Yes: Regular Rate and Rhythm (RRR), Normal S1 and S2

No: M/R/G

Peripheral Vascular

General

No: Varicosities, Non-Pitting Edema, Pitting Edema

Neurologic

Cranial Nerves (CN)

Yes: CN 2-12 Intact Grossly

Coordination - Gait

Yes: Normal Gait

Sensory-Light Touch

Yes: Normal Light Touch Sensation

Normal monofilament testing.

ASSESSMENT:

Allergic urticaria, 708.0 - Resolved, History/Resolved, Not Assessed
 Attention to colostomy, V55.3 - Resolved, History/Resolved, Not Assessed
 Broken tooth traumatic w/o mention of complication, 873.63 - Resolved, History/Resolved, Not Assessed
 Calc of gallbladder and bile duct w/oth cholecys, 574.7 - Resolved, History/Resolved, Not Assessed
 Cataract associated with other syndrome, 366.44 - Current, Chronic, Not Improved/Same
 Dermatitis due to other specified cause, 692.89 - Resolved, History/Resolved, Not Assessed
 Dermatophytosis of foot (Tinea pedis), 110.4 - Resolved, History/Resolved, Not Assessed
 Diabetes mellitus, type II, uncontrolled, 250.02 - Current, Chronic, Not Improved/Same
 Disorder of eye, unspecified, 379.90 - Current, Chronic, Not Improved/Same
 Hernia of other specified sites, 553.8 - Resolved, History/Resolved, Not Assessed
 Hernia, inguinal, w/o obstruction or gangrene, 550.9 - Resolved, History/Resolved, Not Assessed
 Hyperlipidemia, mixed, 272.2 - Current, Chronic, Not Improved/Same

Inmate Name: BARNETT, BERNARD
 Date of Birth: 09/02/1953
 Encounter Date: 10/22/2014 13:44

Sex: M Race: BLACK
 Provider: Edinger, Andrew MD

Reg #: 04941-054
 Facility: LEW
 Unit: X03

Hypertension, Benign Essential, 401.1 - Current, Chronic, At Treatment Goal
 Hypertrophy (benign) of prostate w/urinary obstruc, 600.01 - Current, Chronic, Not Improved/Same
 Idiopathic progressive polyneuropathy, 356.4 - Resolved, History/Resolved, Not Assessed
 Late effect of sprain and strain w/o tendon injury, 905.7 - Resolved, History/Resolved, Not Assessed
 Nerve pain, neuralgia neuritis, radiculitis, 729.2 - Resolved, History/Resolved, Not Assessed
 Oth symp involving skin and integumentary tissue, 782.9 - Resolved, History/Resolved, Not Assessed
 Other allergy, other than to medicinal agents, V15.09 - Resolved, History/Resolved, Not Assessed
 Other atopic dermatitis and related conditions, 691.8 - Resolved, History/Resolved, Not Assessed
 Other injury of knee, leg, ankle, and foot, 959.7 - Resolved, History/Resolved, Not Assessed
 Other specified disorder of rectum and anus, 569.49 - Resolved, History/Resolved, Not Assessed
 Other specified disorders of skin, 709.8 - Resolved, History/Resolved, Not Assessed
 Polyneuropathy in diabetes, 357.2 - Resolved, History/Resolved, Not Assessed
 Pruritis, unspecified pruritic disorder, 698.9 - Resolved, History/Resolved, Not Assessed
 Urethral stricture, unspecified, 598.9 - Resolved, History/Resolved, Not Assessed

PLAN:

New Medication Orders:

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
	glyBURIDE Tablet	10/22/2014 13:44	10mg Orally - Two Times a Day x 180 day(s) -- Take 2 tabs. twice a day

Indication: Diabetes mellitus, type II, uncontrolled

One Time Dose Given: No

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
	Terazosin Capsule	10/22/2014 13:44	5mg Orally at bedtime x 180 day(s) -- one pill each evening

Indication: Hypertrophy (benign) of prostate w/urinary obstruc

One Time Dose Given: No

Renew Medication Orders:

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
138406-LEW	Contact- SM Multi-Purpose Soln 355 ml	10/22/2014 13:44	use small amount as directed to clean/store contact lenses x 180 day(s)

Indication: Disorder of eye, unspecified

One Time Dose Given: No

Inmate Name: BARNETT, BERNARD

Date of Birth: 09/02/1953

Encounter Date: 10/22/2014 13:44

Sex: M Race: BLACK

Provider: Edinger, Andrew MD

Reg #: 04941-054

Facility: LEW

Unit: X03

Renew Medication Orders:

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
138408-LEW	Glucose 4 GM Tab	10/22/2014 13:44	Use for emergency symptoms of low blood sugar only **limit 1 tube/30 days** if using more go to sick call x 180 day(s)

Indication: Diabetes mellitus, type II, uncontrolled**One Time Dose Given:** No

138409-LEW	Insulin Reg (10 ML) 100 UNITS/ML Inj	10/22/2014 13:44	Inject subcutaneously per sliding scale: twice daily 0-60 (none see protocol) 61-150(none)151-200(2units)201-250(4units)251-300(6units)301-350(8units)351-400(10units)>400(12units & notify provider) x 30 day(s) Pill Line Only
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Indication: Diabetes mellitus, type II, uncontrolled**One Time Dose Given:** No

138410-LEW	metFORMIN 1000 MG Tab	10/22/2014 13:44	Take one tablet by mouth twice daily x 180 day(s)
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Indication: Diabetes mellitus, type II, uncontrolled**One Time Dose Given:** No**Discontinued Medication Orders:**

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>	<u>Prescriber Order</u>
138407-LEW	glyBURIDE 5 MG Tab	10/22/2014 13:44	Take two tablets by mouth each morning and---Take one tablet by mouth each evening

Discontinue Type: When Pharmacy Processes**Discontinue Reason:** Order changed**Indication:****One Time Dose Given:**

138411-LEW	Terazosin HCl 5 MG Cap	10/22/2014 13:44	Take one capsule by mouth twice daily
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Discontinue Type: When Pharmacy Processes**Discontinue Reason:** Order changed**Indication:****One Time Dose Given:****New Laboratory Requests:**

<u>Details</u>	<u>Frequency</u>	<u>Due Date</u>	<u>Priority</u>
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Inmate Name: BARNETT, BERNARD	Sex: M Race: BLACK	Reg #: 04941-054
Date of Birth: 09/02/1953	Provider: Edinger, Andrew MD	Facility: LEW
Encounter Date: 10/22/2014 13:44		Unit: X03

Chronic Care Clinics-Diabetic-Comprehensive Metabolic Profile	One Time	10/27/2014 00:00	Routine
Chronic Care Clinics-Diabetic-Lipid Profile			
Chronic Care Clinics-Diabetic-Microalbumin, urine random			
Chronic Care Clinics-Diabetic-Hemoglobin A1C			

New Consultation Requests:

<u>Consultation/Procedure</u>	<u>Due Date</u>	<u>Priority</u>	<u>Translator</u>	<u>Language</u>
Ophthalmology			No	

Reason for Request:

Inmate has a known history of Type 2 DM which has not been under the best control. He has bilat. cataracts present and this limits view of his fundi. He also has a history of a botched radial keratotomy OD which resulted in profound vision loss OD. He currently wears two contact lenses to achieve 20/80 vision. I am requesting an opinion from ophthalmology as to recommendations on improving his vision.

Provisional Diagnosis:

Type 2 DM; cataracts OU; corneal scarring OD

Disposition:

Follow-up at Sick Call as Needed
Follow-up at Chronic Care Clinic as Needed

Other:

Inmate has Type 2 DM; he is overdue for labs on his diabetes. His last A1c is 8.5. He denies any new changes. He also has poor vision bilat. I am requesting an ophthalmology opinion as to the best treatment options for him. He also has a history of a perforated sigmoid colon which required resection and secondary re-anastomosis. He was left with a degree of fecal stress incontinence. I am not sure that there are many options for him.

Patient Education Topics:

<u>Date Initiated</u>	<u>Format</u>	<u>Handout/Topic</u>	<u>Provider</u>	<u>Outcome</u>
10/24/2014	Counseling	Plan of Care	Edinger, Andrew	Verbalizes Understanding

Copay Required: No

Cosign Required: No

Telephone/Verbal Order: No

Completed by Edinger, Andrew MD on 10/24/2014 15:17

HARRIS, D'BRIEN,
ST. LAURENT &
CHAUDHRY LLP

February 27, 2015

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION**

Mr. Bernard Barnett
Prisoner No. 04941-054
United States Penitentiary
P.O. Box 1000
Lewisburg, Pennsylvania 17837

Re: Clemency Project 2014 Assignment

Dear Mr. Barnett:

I apologize for the delay. I have enclosed the originals of the documents you have sent me, as requested. I will try to arrange a counsel call with you within the next two weeks.

Very truly yours,

James Keneally

NOTICE TO INMATES: Initiative on Executive Clemency

On April 23, 2014, the Department of Justice announced an initiative to encourage appropriate candidates to petition for executive clemency, seeking to have their sentences commuted, or reduced, by the President of the United States. In this notice, the Bureau of Prisons (BOP) provides you with information regarding the scope and intent of this new initiative.

Commutation of sentence remains unusual and extraordinarily rare. This initiative, however, invites petitions from non-violent federal inmates who would not pose a threat to public safety if released. In particular, this initiative is limited to inmates who:

- Are currently serving a federal sentence in prison and, by operation of law, likely would have received a substantially lower sentence if convicted of the same offense(s) today¹;
- Are non-violent, low-level offenders without significant ties to large-scale criminal organizations, gangs, or cartels;
- Have served at least 10 years of their sentence;
- Do not have a significant criminal history;
- Have demonstrated good conduct in prison; and
- Have no history of violence prior to or during their current term of imprisonment.

You may choose to have an attorney to assist you in preparing a petition for clemency. You have the option of retaining counsel of your choice. We have also been asked to inform you that the Clemency Project 2014, a group of experienced criminal defense and non-profit lawyers, has offered to assist qualifying inmates with their petitions at no cost to you. If you would like to request that an attorney from the Clemency Project 2014 assist you with your clemency petition, please complete the Executive Clemency Survey via the TRULINCS Survey Service. At your request, we will forward your survey responses to the Clemency Project 2014. Once they receive the survey, it will be up to the Clemency Project 2014 to determine whether they will provide you with pro bono representation after considering whether or not you meet the criteria for this initiative.

Please note, if you submit the Executive Clemency Survey via TRULINCS, you should *not* submit your responses to the Clemency Project 2014 in writing as well.

¹ You may have received a substantially lower sentence today if, for example, you were sentenced to a mandatory minimum sentence for a crack cocaine offense that has since been lowered by the Fair Sentencing Act of 2010. Another example is if the sentencing guidelines were mandatory in your case and there is evidence that, if the judge was not constrained by the mandatory sentencing guidelines, he or she likely would have sentenced you to a lesser sentence.

If you do not wish to have an attorney assist you with your clemency petition and believe you meet the criteria outlined above, you should contact your unit team for the appropriate forms to complete. In addition to the clemency petition, you should also complete the Executive Clemency Survey by filling in the responses manually (not via the TRULINCS Survey).

If you meet the above-described criteria and have already submitted a petition for commutation of sentence to the Pardon Attorney, which is still under review, your application will be reviewed as part of this initiative. You are not required to submit a new application, but you may supplement your pending application if you wish to do so.

THERE IS NO GUARANTEE THAT PETITIONS SUBMITTED WILL BE GRANTED. This initiative creates no legal rights for petitioners. The rules governing petitions for commutation of sentence (see Title 28, Code of Federal Regulations Part 1, Sections 1.1 – 1.11) apply to all inmates regardless of the Department's new initiative. Petitions for commutation are not generally accepted from inmates who are presently challenging their convictions or sentences. Applicants are expected to be candid in their petitions. The Department may consult the sentencing judge and prosecuting authorities involved in the petitioner's case when considering the appropriateness of each petition. To learn more about these and other issues, you can review BOP Program Statement 1330.15, Petition for Commutation of Sentence.